



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2021-1189; Airspace Docket No. 21-AGL-40]

RIN 2120-AA66

Proposed Establishment of Area Navigation (RNAV) Route T-768; Northcentral United States.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish area navigation (RNAV) route T-768 in the northcentral United States (U.S.). The new T-768 would compensate for the removal of VOR Federal airway V-242 due to the decommissioning of the Atikokan, Ontario (ON), Canada, Non-Directional Beacon (NDB) navigational aid (NAVAID) as part of NAV CANADA's Airspace Modernization Program. The new T-768 in U.S. airspace would also connect to NAV CANADA's existing T-768 RNAV route to support cross border connectivity. Additionally, the new route would expand the availability of RNAV routing in support of transitioning the National Airspace System (NAS) from ground-based to satellite-based navigation.

DATES: Comments must be received on or before [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590; telephone: 1(800) 647-5527, or (202) 366-9826. You must identify FAA Docket No. FAA-2021-1189; Airspace Docket No. 21-AGL-40 at the beginning of your comments. You may also submit comments through the Internet at <https://www.regulations.gov>.

FAA Order JO 7400.11F, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at https://www.faa.gov/air_traffic/publications/. For further

information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783. FAA Order JO 7400.11F is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order JO 7400.11F at NARA, email: fr.inspection@nara.gov or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would expand the availability of RNAV in the northcentral United States and improve the efficient flow of air traffic within the NAS by lessening the dependency on ground-based navigation.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2021-1189; Airspace Docket No. 21-AGL-40) and be submitted in triplicate to the Docket Management Facility (see “**ADDRESSES**” section for address and phone number). You may also submit comments through the Internet at <https://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to FAA Docket No. FAA-2021-1189; Airspace Docket No. 21-AGL-40.” The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified comment closing date will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at <https://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA’s web page at https://www.faa.gov/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see “**ADDRESSES**” section for address and phone number) between 9:00 am and 5:00 pm, Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Operations Support Group, Central Service Center, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX, 76177.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

Background

In August, 2021, the FAA revoked VOR Federal airway V-242 within the U.S. to mirror similar action taken by NAV CANADA within Canadian airspace due to the decommissioning of the Atikokan, ON, Canada, NDB in support of Canada's Airspace Modernization Program. Upon revocation of V-242, NAV CANADA initiated action to replace V-242 with an RNAV route designated T-768. T-768 has been established within Canadian airspace; however, the route is currently charted as T-786 and being corrected to reflect T-768.

The FAA is proposing this action to provide routing across the U.S./Canada border by connecting to NAV CANADA's T-768 at the border. The proposed T-768 within U.S. airspace would extend between the International Falls, MN, VOR/Tactical Air Navigation (VORTAC) NAVAID and the U.S./Canada border located approximately 16 nautical miles northeast of International Falls, MN.

Additionally, the proposed T-768 would support FAA NextGen efforts to transition the NAS from a ground-based navigation system to a satellite-based navigation system. The proposed route would provide positive course guidance into and out of Canadian airspace; support enroute structure in an area of limited or no radar coverage; reduce air traffic control sector workload and complexity; reduce pilot and controller communications; and increase NAS efficiency and capacity in the International Falls, MN, area.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to establish RNAV route T-768. The proposed new T-route is described below.

T-768: T-768 is a new RNAV route proposed to extend between the International Falls, MN, VORTAC and the ARBBY, MN, waypoint (WP). This proposed T-route would provide routing between the International Falls VORTAC and the U.S./Canada border; connecting to NAV CANADA's existing T-768 within Canadian airspace.

Canadian RNAV T-routes are published in paragraph 6013 of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The RNAV T-route listed in this document would be published subsequently in FAA Order JO 7400.11.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71--DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

Paragraph 6013. Canadian Area Navigation Routes.

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T-768 International Falls, MN (INL) to ARBBY, MN [New]

International Falls, MN, (INL)	VORTAC	(lat. 48°33'56.87"N., long. 093°24'20.44"W.)
ARBBY, MN	WP	(lat. 48°37'29.35"N., long. 093°00'31.59"W.)

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Issued in Washington, DC, on January 6, 2022.

Michael R. Beckles,
Manager, Rules and Regulations Group.

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